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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,060

11/17/2003

Eric Burton Olsen

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DENVER, CO 80246

EXAMINER

RENWICK, REGINALD A

ART UNIT

PAPER NUMBER

3709

MAIL DATE

DELIVERY MODE

05/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

0/715,060

Applicant(s)

OLSEN, ERIC BURTON

Examiner

Reginald A. Renwick

Art Unit

3709

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on November 17, 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 50-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 50-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/November 17, 2003.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The Information Disclosure Statement filed on November 11, 2003 has been considered on April 18, 2007 for review in the examination of the disclosed invention.

Claim Objections

1. Claim 50 is objected to because of the following informalities: in the phrase "displaying a winning graphic when a game outcome in the gamine machine results in a payoff," there is a misspelling and the word "gamine" should be changed to "gaming". Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 50, 51, 55, 56, 59, 60, and 61 are rejected under 35 U.S.C. 102(a) as being anticipated by BONUS TIME CONTROLLER (AU-A-43615/97 as cited).

Regarding claims 50 and 55, BONUS TIME CONTROLLER teaches a method for providing bonus play in a game machine that provides a plurality of bonus rounds where there are bonus rounds selected for each bonus play of the gaming machine (pg.6, lines 33-36; pg. 7 lines 1-2). It is understood by the examiner that a "bonus mode" as stated in BONUS TIME CONTROLLER is considered a bonus round where multiple

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bonus games are played and bonus prizes awarded at a plurality of game machines during this time period. Furthermore, BONUS TIME CONTROLLER teaches that each bonus round of the plurality of bonus rounds has a bonus multiplier associated with at least one bonus multiplier opportunity and issues at least one bonus multiplier opportunity during bonus play in the gaming machine that displays a winning graphic when a game outcome in the gaming machine results in a payoff (pg.7, lines 2-13; pg.7, lines 15-17). In addition BONUS TIME CONTROLLER anticipates awarding in the gaming machine a bonus payoff based on the bonus multiplier associated with the issued bonus multiplier opportunity and the aforesaid payoff in response to displaying the winning graphic (pg.6, lines 33-36; pg. 7, lines 1-17).

Regarding claims 51, 56, 60, and 61 it is well known in the art that because the monitor as taught by BONUS TIME CONTROLLER teaches displaying a graphic on the occurrence that the player has won the game and it is inherently capable of displaying graphic upon other game occurrences such as a loss or an ineligible player. The novelty in the invention is not the specific events surrounding the operations of the monitor's function, but instead the ability of place a graphic on the monitor when necessary.

Regarding claim 59, BONUS TIME CONTROLLER teaches a 'bonus time controller' that determines the eligibility of each of the linked gaming machines to play a bonus round (page 5, lines 24-30) and displays an eligible graphic at a linked gaming machine determined to be eligible (page 5, lines 24-30; page 5, lines 31-36, page 6, lines 1-3). Furthermore, BONUS TIME CONTROLLER teaches a 'bonus time controller' that provides a bonus round to each gaming machine determined to be eligible for

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bonus play, the bonus round having a bonus multiplier associated with a bonus multiplier opportunity, issuing the at least one bonus multiplier opportunity to each gaming machine determined to be eligible (pg.6, lines 33-36; pg. 7 lines 1-2) and displays a winning graphic when a game outcome resulting in a payoff occurs in the eligible gaming machine (pg.7, lines 15-17). BONUS TIME CONTROLLER also teaches awarding in the aforesaid eligible gaming machine a bonus payoff based on the bonus multiplier associated with the issued bonus multiplier opportunity and the aforesaid payoff in response to displaying a winning graphic (pg. 7, lines 1-17).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 52, 54, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over BONUS TIME CONTROLER in view of McGinnis, Sr. et al (U.S. Patent No.6,120,377).

Regarding claims 52 , 54, and 57, BONUS TIME CONTROLLER significantly meets the limitations of claim 52 except for disclosing that the bonus multiplier is different for each successive bonus round. Furthermore, the BONUS TIME

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CONTROLLER does not disclose that the predetermined number of bonus multiplier opportunities decrease for each successive bonus round.

However, McGinnis Sr. et al discloses a game containing bonus rounds that increase the bonus multiplier among successive bonus rounds in a game where a multiplier increases when the faces on two dice match (column 8, lines 63-67).

Furthermore, McGinnis Sr. et al discloses that bonus multiplier opportunities decrease for each successive bonus round.

McGinnis Sr. et al teaches a gamer where there are three multiplier opportunities and after each round, there is one fewer multiplier opportunity for the player to use. It would have been obvious to one skilled in the art at the time the invention was made to modify the bonus rounds taught by BONUS TIME CONTROLLER with the increased bonus round multipliers taught by McGinnis Sr. et al, as to entice casino visitors to play the game disclosed in BONUS TIME CONTROLLER with the hope of earning more money through the increasing bonus multiplier opportunities.

8. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over BONUS TIME CONTROLLER in view of Acres (U.S. Patent No. 6,319,125).

Regarding claim 53, BONUS TIME CONTROLLER discloses a plurality of bonus rounds amongst a plurality of gaming machines. BONUS TIME CONTROLLER does not disclose that the plurality of bonus rounds is a number randomly selected in a predetermined range of numbers.

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However, Acres discloses a progressive jackpot gaming network where the winner of the jackpot is randomly selected from a number of active game machines (column 5 lines 24-33).

It would have been obvious to one skilled in the art to modify the bonus rounds taught by BONUS TIME CONTROLLER with the method of randomly selecting game machines for distributing bonus rounds as taught by Acres, to add to the excitement surrounding the game due players not knowing who is going to be selected for the bonus rounds. Furthermore, this will encourage more players to play as each player feels they have a chance at the progressive jackpot.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In U.S. Patent No. 4,837,728, Barrie et al. discloses a progressive gaming system that connects multiple gaming machines and determines a winner from the active gaming machines.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reginald A. Renwick whose telephone number is 571-270-1913. The examiner can normally be reached on Monday-Friday, 7:30AM-5:00PM, Alt Fridays, EST.

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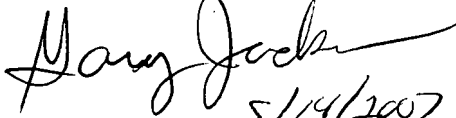
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jackson can be reached on 571-272-4697. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

4/18/2007
RR



GARY JACKSON
SUPERVISORY PATENT EXAMINER


5/14/2007